

**City of Fremont**  
**Urban Runoff Standard Conditions of Approval**  
**September 6, 2006**

**Introduction**

The following list contains measures to control sources of stormwater pollutants associated with the post-construction phase of new development and redevelopment projects. Each identified source of pollutants may have one or more appropriate control measures. The model list is intended to be a menu from which staff selects appropriate measures to apply to specific projects. Phrases in brackets represent alternative or optional wording. This document replaces the earlier Standard Conditions of Approval dated October 26, 2004.

## **I. STRUCTURAL CONTROL MEASURES**

This section describes the structural source control measures that shall be incorporated into a project design to minimize or eliminate stormwater pollution. Not all control measures are pertinent to every site; site-specific control measures shall be applied as each project warrants.

### **I.A. Illegal Dumping to Storm Drain Inlets and Waterways**

All storm drain inlets shall be clearly marked with the words "No Dumping Flows to Bay."

### **I.B. Interior Floor Drains**

Interior floor drains in kitchen areas of restaurants or food service establishments shall be plumbed to the sanitary sewer system and shall not be connected to the storm drain system. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

Interior floor drains are prohibited in automotive, manufacturing and other industrial areas.

### **I.C. Parking Garages**

Interior level parking garage floor drains are discouraged. If floor drains are necessary, stormwater flow shall be connected to a stormwater treatment measure approved by the City of Fremont prior to discharge into the municipal storm drain system.

### **I.D. Pesticide/Fertilizer Application**

- 1) Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides. For example, dumpster areas should be located away from occupied buildings, and building foundation vents shall be covered with screens.
- 2) Landscape Plans shall comply with the **City of Fremont Landscape Development Requirements and Policies**. Urban Runoff Conditions of Approval specifically pertain to sections referencing selection of disease/pest resistant plants and designing landscapes to minimize the use pesticides and fertilizers.

### **I.E. Pool, Spa, and Fountain Discharges**

- 1) Pools (including swimming pools, hot tubs, spas and fountains) shall not be directly connected to the storm drain or sanitary sewer system.
- 2) When draining is necessary, a hose or other temporary system shall be directed into a sanitary sewer clean out. The clean out shall be installed in a readily accessible area [example: within 10 feet of the pool]. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- 3) If commercial and public swimming pool discharges are discharged to land where the water would not flow to a storm drain or to a surface water, the discharge may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide

General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.

#### **I.F. Food Service Equipment Cleaning**

- 1a) Food service facilities (including restaurants and grocery stores) shall have a sink or similar floor mat, container, and equipment cleaning area connected to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a roofed area outdoors; both areas must be plumbed to the sanitary sewer. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- 1b) Outdoor cleaning areas shall be connected to the sanitary sewer system and designed to prevent wash water or stormwater run-on and run-off from carrying pollutants to the storm drain system. Signs shall be posted indicating that all outdoor equipment washing activities shall be conducted in this area. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

#### **I.G. Refuse Areas**

- 1) New or redevelopment projects such as food service facilities, recycling facilities and/or multi-family residential complexes or similar facilities shall provide a roofed and enclosed area for dumpsters and recycling containers. The area shall be designed to prevent water run-on to the area and runoff from the area, as well as to contain litter and trash so that it is not dispersed by the wind or runoff during waste removal. Refer to the **City of Fremont's Waste Handling Requirements** for specific trash enclosure details.
- 2) Runoff from food service areas, trash enclosures, recycling areas, and/or food compactor enclosures or similar facilities shall not discharge to the storm drain system. Trash enclosure areas shall be designed to prevent run-on to the trash enclosure area. Any drains installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities shall be connected to the sanitary sewer. The applicant shall contact Union Sanitary District for specific connection and discharge requirements. Refer to the **City of Fremont's Waste Handling Requirements** for specific trash enclosure details.

#### **I.H. Outdoor Process Activities/Equipment**

- 1) Process activities shall be performed either indoors or in roofed outdoor areas. If performed outdoors, the area shall be designed to prevent run-on to and runoff from the area with process activities.
- 2) Process equipment areas are prohibited to discharge to the storm drain system. Some discharges may be directed to the sanitary sewer system with approval from Union Sanitary District. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

#### **I.I. Outdoor Equipment/Materials Storage**

- 1) All outdoor equipment and materials storage areas shall be covered and bermed as needed.
- 2) Storage areas containing liquids shall be covered by a roof and be contained by berms, dikes, liners, vaults or similar spill containment devices. Storage areas shall not be connected to the sanitary sewer or storm drain system.
- 3) All on-site hazardous materials and wastes, as defined and/or regulated by the California Public Health Code and the local Certified Unified Program Agency (CUPA) [i.e., Alameda County Environmental Health Department], must be used and managed in compliance with the applicable CUPA program regulations and the facility hazardous materials management plan approved by the CUPA authority.

**I.J. Vehicle/Equipment and Commercial/Industrial Cleaning**

- 1) Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
- 2) Commercial/industrial facilities having vehicle/equipment cleaning needs shall either provide a roofed, bermed area for washing activities or discourage vehicle/equipment washing by removing hose bibs (faucets) and installing signs prohibiting such uses. Vehicle/equipment washing areas shall be paved, designed to prevent run-on to or runoff from the area, and plumbed to drain to the sanitary sewer with approval from Union Sanitary District. A sign shall be posted indicating the location and allowed uses in the designated wash area. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- 3) Commercial car wash facilities shall be designed and operated such that no runoff from the facility is discharged to the storm drain system. Wastewater from the facility shall discharge to the sanitary sewer or a wastewater reclamation system shall be installed and the wastewater reused with no discharges to the storm drain. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

**I.K. Vehicle/Equipment Repair and Maintenance**

- 1) Vehicle/equipment repair and maintenance shall be performed in a designated area indoors, or if such services must be performed outdoors, in an area designed to prevent the run-on and runoff of stormwater.
- 2) Secondary containment shall be provided for exterior work areas where motor oil, brake fluid, gasoline, diesel fuel, radiator fluid, acid-containing batteries or other hazardous materials or hazardous wastes are used or stored. Drains shall not be installed within the secondary containment areas.
- 3) Vehicle service facilities shall not contain floor drains.
- 4) Tanks, containers or sinks used for parts cleaning or rinsing shall not be connected to the storm drain system or sanitary sewer system. Wastewater generated from parts

cleaning operations shall be characterized and disposed according to all applicable Federal, state and local regulations.

#### **I.L. Fuel Dispensing Areas**

- 1) Fueling areas shall be portland cement concrete or equivalent smooth impervious surface that are: a) graded at the minimum slope necessary to prevent ponding; and b) separated from the rest of the site by a grade break that prevents run-on of stormwater to the maximum extent practicable. The fueling area shall be defined as the area extending a minimum of 6.5 feet from the corner of each fuel dispenser or the length at which the hose and nozzle assembly may be operated plus a minimum of one foot, whichever is greater.
- 2) Fueling areas shall be covered by a canopy that extends a minimum of ten feet in each direction from each pump. The canopy shall not drain onto the fueling area. Rainwater from the canopy shall be discharged to a landscaped area or an approved stormwater treatment measure prior to discharge to the storm drain system.
- 3) An oil-water separator shall be installed downstream of the fuel island. The oil-water separator shall be placed such that incidental runoff and spills from the fuel island shall be captured in the separator; however, the island shall not be graded such that runoff flows onto and over the fuel island. The oil-water separator shall be considered a spill containment device and may not be used as a stand-alone system to fulfill stormwater treatment requirements (if applicable to the site).

#### **I.M. Loading Docks**

- 1) Loading docks shall be graded to minimize run-on to and runoff from the loading area. Roof downspouts shall be positioned to direct stormwater away from the loading area. Stormwater runoff from loading dock areas shall be connected to a stormwater treatment measure prior to discharge to the municipal storm drain system.
- 2) Door skirts between the trailers and the building shall be installed to prevent exposure of loading activities to rain, unless one of the following conditions apply: the loading dock is covered, or the applicant demonstrates that rainfall will not result in an untreated discharge to the storm drain system.

#### **I.N. Fire Sprinkler Test Water**

Fire sprinkler test water shall be drained to the sanitary sewer system with approval from Union Sanitary District or drain to landscaped areas where feasible. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

#### **I.O. Miscellaneous Drain or Wash Water**

- 1) Boiler drain lines shall not discharge to the storm drain system. Boiler drain lines shall be directly or indirectly connected to the sanitary sewer system. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.

- 2) For air conditioning units, air conditioning condensate should be directed to landscaped areas or alternatively connected to the sanitary sewer system after obtaining permission from Union Sanitary District. Any anti-algal or descaling agents must be properly disposed of. Any air conditioning condensate that discharges to land without flowing to a storm drain may be subject to the requirements of the State Water Resources Control Board's (SWRCB) Statewide General Waste Discharge Requirements (WDRs) for Discharges to Land with a Low Threat to Water Quality.
- 3) Roof drains shall discharge and drain away from the building foundation to an unpaved area.
- 4) Roof top equipment (other than that producing air conditioning condensate) shall drain to the sanitary sewer, or be covered and have no discharge to the storm drain. The applicant shall contact Union Sanitary District for specific connection and discharge requirements.
- 5) Most washing and/or steam cleaning must be done at an appropriately equipped facility that drains to the sanitary sewer. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge of soaps or other pollutants to the storm drain. If on-site discharge is required, the applicant shall contact Union Sanitary District for specific connection and discharge requirements.

## **II. POST-CONSTRUCTION STORMWATER TREATMENT CONTROLS**

This section describes conditions for projects that require incorporation of post-construction stormwater treatment controls, such as swales, planter boxes, infiltration trenches or mechanical devices. Projects that create or replace 10,000 square feet or more of impervious surface area (including rooftops, covered trash enclosures, parking areas, patios, etc.) are required to incorporate site design techniques to maximize pervious surface areas, source controls, and stormwater treatment controls into project design.

- II.A.** Post-construction stormwater treatment controls shall be hydraulically sized based upon volume or flow, depending upon the treatment control utilized. The project civil engineer shall submit a certification verifying that sizing has been done correctly by one of the calculation methods permitted by the City of Fremont.
- II.B.** Stormwater runoff from all impervious surface areas (100%) shall be treated prior to entering the City storm drain system. At least 50% of the impervious surface area in a new or redevelopment project shall be treated by landscape-based treatment measures.
- II.C.** Hydrodynamic separators without media filtration do not meet the criteria for stormwater treatment to the maximum extent practicable (MEP) when used as stand-alone treatment systems. Hydrodynamic separators without media filtration may be used as part of a treatment train to meet MEP, providing that at least 50% of the site runoff is treated through landscape-based treatment measures.
- II.D.** All projects that incorporate post-construction stormwater treatment controls shall enter into an agreement with the City of Fremont to operate and maintain said treatment controls in perpetuity. The Stormwater Treatment Measures Maintenance Agreement is a legal

document and is recorded against the title of the property. Responsibility for the Operation and Maintenance Agreement shall be legally transferred to all subsequent property owners.

**II.E.** Prior to building occupancy, the project civil engineer shall submit a statement certifying that the installations of all post-construction stormwater treatment controls have been done properly.

**II.F.** The stormwater control plan submitted with the project construction permit issuance shall comply with current minimum standards established by the San Francisco Bay Regional Water Quality Control Board to protect stormwater quality.

**II.G.** For subdivisions that will include Covenants, Conditions and Restrictions (CC&R's), stormwater maintenance requirements shall be included. At a minimum, the following statements or similar shall be included in the CC&R's:

- **Stormwater Treatment Measures Maintenance Agreement.** The Development is subject to the Stormwater Treatment Measures Maintenance Agreement recorded in the County of Alameda, CA. Under the Stormwater Treatment Measure Maintenance Agreement, the Development is responsible for ensuring that stormwater treatment measures installed on-site to meet the requirements of the new and redevelopment provision in the National Pollutant Discharge Elimination System (NPDES) Permit issued to the Alameda Countywide Clean Water Program (of which the City of Fremont is a co-permittee) shall remain in effective operating condition in perpetuity.

Commencing on the date the Association begins operations, the Association shall assume the rights and duties of the Owner as defined in the Stormwater Treatment Measures Maintenance Agreement. The Board shall have full right, power and authority to act on behalf of the Association, its Members and the town home, condominium or single-family homeowners under the Stormwater Treatment Measures Maintenance Agreement.

- **Drainage Easements:** An easement over and under each Lot as the servient tenement is reserved in favor of each other Lot as the dominant tenement for the purpose of allowing the Association's agents to enter the Lot to maintain that portion of an in-tract storm drainage system located thereon. No Owner or occupant shall commit any act that would interfere with the operation of any drainage system (including drainage swales, bioretention areas, media filters, etc.) installed on the Owner's Lot. Each Owner shall maintain the system free of debris and other obstacles at all times. Reciprocal appurtenant easements between each Lot and the Common Area and between adjoining Lots are reserved for the flow of surface water.
- **Storm Drainage Restrictions:** As part of the original construction of the Development, stormwater treatment measures were installed within the Development in connection with the Development's drainage system. Neither the Association nor any Owner shall do any work, construct any improvement, place any landscaping or otherwise perform any action whatsoever which alters or interferes with the drainage pattern for any Lot or any portion of the Common

Areas, except to the extent such alteration in drainage pattern is approved in writing by the City of Fremont City Engineer.

- **Stormwater Treatment Measure Maintenance:** inspect and maintain the on-site stormwater treatment measures (swales, bioretention ponds, media filters, etc.) and storm drain system on an annual basis and provide maintenance and repairs, as required. The Association shall maintain an inspection and maintenance record on file that shall be made available to the City upon request. Storm drains shall be cleaned at least annually before commencement of the rainy season, before October 15 of each year. Stormwater treatment measures shall be maintained by the Association in accordance with the Stormwater Treatment Measures Maintenance Agreement between the Declarant and the City.
- **Landscape Maintenance:** Landscaping shall be designed with an efficient irrigation system to reduce runoff and promote surface infiltration. Landscaping shall also be designed and maintained to minimize the use of fertilizers, herbicides and pesticides. Each Owner, and the Association, shall use integrated pest management practices (less toxic pest management) as a first step in maintaining landscaping. Chemical pesticides and fertilizers shall be employed as a last step in managing weeds and other pests.

### **III. OPERATIONAL BMPS**

This section describes Operational best management practices (BMPs). Responsibility for implementation of these BMPs clearly rests with the property owners. COF will check on a property owner/operator's implementation of required Operational BMPs during industrial and commercial business inspections and/or on any inspections to verify the operation and maintenance of stormwater treatment measures. These operational BMPs may also appear within the Stormwater Treatment Measures Maintenance Agreement for specific development projects.

#### **III.A. Paved Sidewalks and Parking Lots**

Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Any outdoor washing or pressure washing must be managed in such a way that there is no discharge of soaps or other pollutants to the storm drain. If on-site discharge is required, the applicant shall contact Union Sanitary District for specific connection and discharge requirements.

#### **III.B. Miscellaneous Drain or Wash Water**

Any outdoor washing or pressure washing shall be managed in such a way that there is no discharge of soaps or other pollutants to the storm drain system. If on-site discharge is required, the applicant shall contact Union Sanitary District for specific connection and discharge requirements.

#### **III.C. Private Streets, Utilities and Common Areas**



- 1) The owner of private streets and storm drains shall prepare and implement a plan for street sweeping of paved private roads and cleaning of all storm drain inlets. The owner shall also inspect and maintain any post-construction stormwater treatment controls according to the schedule outlined in the property Stormwater Treatment Measures Maintenance Agreement, if applicable.
- 2) For residential developments, where other maintenance mechanisms are not applicable or otherwise in place, a property owners association, architectural committee, or similar organization [such as a maintenance assessment district, special assessment district, or similar arrangement] shall be created and shall be responsible for maintaining all private streets and private utilities and other privately owned common areas and facilities on the site including stormwater treatment measures and landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping, and will include the maintenance responsibilities described in the maintenance plan, which is included as an attachment to the stormwater treatment measure Operation and Maintenance Agreement for the subject property. CC&R's creating the association shall be reviewed and approved by the City Attorney prior to the recordation of the Final Map and recorded prior to the sale of the first residential unit. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association.

#### **III.D. Vehicle/Equipment Repair and Maintenance**

- 1) No person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials, or rinsewater from parts cleaning operations into storm drains.
- 2) No vehicle fluid removal shall be performed outside a building, nor on asphalt or ground surfaces, whether inside or outside a building, except in such a manner as to ensure that any spilled fluid will be in an area of secondary containment. Leaking vehicle fluids shall be contained or drained from the vehicle immediately.
- 3) No person shall leave unattended drip parts or other open containers containing vehicle fluid, unless such containers are in use or in an area that cannot discharge to the storm drain, such as an area with secondary containment.

#### **III.E. Fueling Areas**

The property owner shall dry sweep the fueling area and spot clean leaks and drips routinely. Fueling areas shall not be washed down with water unless the wash water is collected and disposed of properly. Wash water is prohibited from entering the storm drain system. If wet washing is necessary, it must be captured and disposed in accordance with all Federal, state and local laws. A spill containment plan shall be in place along with appropriate spill containment materials.

#### **III.F. Loading Docks**

The property owner shall ensure that best management practices (BMPs) are implemented to prevent potential stormwater pollution. These BMPs shall include, but are not limited to, a regular program of sweeping, litter control and spill clean-up. A spill containment plan shall be in place along with appropriate spill containment materials.

### **III.G. On-site Storm Drains**

All on-site storm drains must be cleaned at least once a year immediately prior to the rainy season. Additional cleaning may be required by the City of Fremont.